## ORDER OF THE STATE PERSONNEL BOARD

DAVID RUCHMAN,

Complainant,

VS.

DEPARTMENT OF REVENUE, ENFORCEMENT GROUP, HEARINGS DIVISION,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on February 21, 2006, and its emergency meeting held on March 1, 2006. During the intervening period, Respondent filed a Notice to the State Personnel Board and Complainant filed a Response to Appellant's Notice to the State Personnel Board. As the period for briefing the appeal of the Initial Decision of the Administrative Law Judge had run and the Board was in active deliberations, the pleadings were not considered by the Board.

During these public sessions, the Board considered the record on appeal, including but not limited to:

- 1. Initial Decision of the Administrative Law Judge;
- Respondent's Opening Brief;
- 3. Complainant's Answer Brief;
- 4. Respondent's Reply Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge are ADOPTED; and

IT IS FURTHER ORDERED that the Initial Decision of the Administrative Law Judge is adopted and made an Order of the Board.

	d this day of h, 2006.	John Zakhem, Board Chair State Personnel Board 633 17th Street, Suite 1320 Denver, Colorado 80202-3604
NOTICE OF APPEAL		
Each party has the following rights:		
1.	To abide by this decision of the State Personnel Board; or	
2.	To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2005), as provided in Section 24-50-125.4(3), C.R.S. (2005).	
In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.		
CERTIFICATE OF MAILING		
This is to certify that on the day of March, 2006, I placed true copies of the foregoing <b>ORDER OF THE STATE PERSONNEL BOARD</b> , in the United States mail, postage prepaid, addressed as follows:		
S. Kato Crews, Esq. Rothgerber Johnson and Lyons LLP Wells Fargo Bank Tower 90 South Cascade, Suite 1100 Colorado Springs, Colorado 80903-1662		
And via interoffice mail:		
Eric W. Freund Assistant Attorney General Civil Litigation & Employment Law Section 1525 Sherman, 5 <sup>th</sup> Floor		

Andrea C. Woods

Denver, Colorado 80203